

I urge my colleagues to pass H.R. 4037 today.

Mr. GOODLING. Mr. Speaker, H.R. 4037 makes two simple but important changes to OSHA's regulation on Hazard Communication.

First, H.R. 4037 clarifies the law with regard to the acceptable use of electronic systems for maintaining "material safety data sheets," which employers are required to maintain and make available to employees by the Hazard Communication standard.

To anyone who has looked at the amount of information required of the typical business by the Hazard Communication standard, it should be evident that an electronic system of keeping that information is preferable to a paper system. And yet OSHA continues to suggest a preference for paper copies of material safety data sheets by putting conditions on the use of electronic systems that it does not put on paper copies.

By encouraging employers, especially small employers, to use electronic systems for maintaining material safety data sheets, H.R. 4037 will make a real impact in reducing OSHA's paperwork burden on employers.

Second, H.R. 4037 requires that summary and emergency information be attached to the front page of the material safety data sheet. This is to make the information more useful and useable for employers and employees.

Mr. Speaker, I want to commend the sponsors of H.R. 4037, Representative GRANGER and Representative ROEMER, for their work on this bipartisan bill, as well as Subcommittee Chairman BALLENGER. H.R. 4037 will help make one Federal regulation a little more sensible and compliance a little easier. I urge my colleagues to support H.R. 4037.

Mr. ROEMER. Mr. Speaker, today, the House of Representatives will pass H.R. 4037, a bill of which I am an original cosponsor. I would like to thank my colleagues, Representative KAY GRANGER and Representative CASS BALLENGER, and all of the cosponsors, for their bipartisan efforts to help create and pass this common sense OSHA reform legislation.

Under current law, every business in the country must maintain documentation about the chemicals they keep at a work site. These documents are called Material Safety Data Sheets (MSDS's) and while originally intended to provide critical health and safety information about dangerous chemicals, they have become cumbersome technical documents that can be up to twenty pages long, and are the causes of frequent paperwork violation citations.

H.R. 4037 has three main points. First, it would allow businesses the choice to access the information contained on an MSDS through electronic communications services, like a fax-on-demand system, internet service, or a CD-ROM. This type of service eliminates an enormous amount of regulatory paperwork, while actually increasing access to the information. Current MSDS service companies can provide instantaneous access to critical chemical information, expert technical advice, and coordination with emergency responders. The current paper system can do none of those.

Second, H.R. 4037 would require all MSDS to have an emergency overview at the beginning of the document that lists emergency contacts, hazard warnings, and first aid information. This emergency overview would allow both employers and employees to have immediate access to the most critical information on

an MSDS. Currently, this information can be buried near the end of the document, behind pages of confusing technical information.

Finally, the bill instructs the Occupational Safety and Health Administration (OSHA) to conduct a study on the technical level of language used to write MSDS's. Presently, some documents still say things like: "Avoid ocular contact," instead of: "Keep out of eyes." OSHA would make the results of their study available to MSDS writers to provide guidance and improve their quality.

To achieve this bipartisan piece of legislation, we have worked in good faith with every interested party to address the concerns of the AFL-CIO, the Chemical Manufacturers Association, the Department of Labor, and the small business Coalition for Material Safety Data Sheet Reform. Again, I thank my colleagues for their cooperation and hard work on H.R. 4037. I look forward to working with the Senate to ensure its eventual enactment into law.

Mr. ROEMER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BALLENGER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. Dickey). The question is on the motion offered by the gentleman from North Carolina (Mr. BALLENGER) that the House suspend the rules and pass the bill, H.R. 4037, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BALLENGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4037.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

□ 1045

#### OCEAN SHIPPING REFORM ACT OF 1998

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 414) to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States exports, and for other purposes, as amended.

The Clerk read as follows:

S. 414

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Ocean Shipping Reform Act of 1998".

##### SEC. 2. EFFECTIVE DATE.

Except as otherwise expressly provided in this Act, this Act and the amendments made by this Act take effect May 1, 1999.

#### TITLE I—AMENDMENTS TO THE SHIPPING ACT OF 1984

##### SEC. 101. PURPOSE.

Section 2 of the Shipping Act of 1984 (46 U.S.C. App. 1701) is amended by—

(1) striking "and" after the semicolon in paragraph (2);

(2) striking "needs." in paragraph (3) and inserting "needs; and";

(3) adding at the end thereof the following:

"(4) to promote the growth and development of United States exports through competitive and efficient ocean transportation and by placing a greater reliance on the marketplace.".

##### SEC. 102. DEFINITIONS.

Section 3 of the Shipping Act of 1984 (46 U.S.C. App. 1702) is amended by—

(1) striking "the government under whose registry the vessels of the carrier operate;" in paragraph (8) and inserting "a government;"

(2) striking paragraph (9) and inserting the following:

"(9) 'deferred rebate' means a return by a common carrier of any portion of freight money to a shipper as a consideration for that shipper giving all, or any portion, of its shipments to that or any other common carrier over a fixed period of time, the payment of which is deferred beyond the completion of service for which it is paid, and is made only if the shipper has agreed to make a further shipment or shipments with that or any other common carrier.";

(3) striking paragraph (10) and redesignating paragraphs (11) through (27) as paragraphs (10) through (26);

(4) striking "in an unfinished or semi-finished state that require special handling moving in lot sizes too large for a container," in paragraph (10), as redesignated;

(5) striking "paper board in rolls, and paper in rolls." in paragraph (10) as redesignated and inserting "paper and paper board in rolls or in pallet or skid-sized sheets.";

(6) striking "conference, other than a service contract or contract based upon time-volume rates," in paragraph (13) as redesignated and inserting "agreement";

(7) striking "conference." in paragraph (13) as redesignated and inserting "agreement and the contract provides for a deferred rebate arrangement.";

(8) by striking "carrier." in paragraph (14) as redesignated and inserting "carrier, or in connection with a common carrier and a water carrier subject to subchapter II of chapter 135 of title 49, United States Code.";

(9) striking paragraph (16) as redesignated and redesignating paragraphs (17) through (26) as redesignated as paragraphs (16) through (25), respectively;

(10) striking paragraph (17), as redesignated, and inserting the following:

"(17) 'ocean transportation intermediary' means an ocean freight forwarder or a non-vessel-operating common carrier. For purposes of this paragraph, the term—

"(A) 'ocean freight forwarder' means a person that—

"(i) in the United States, dispatches shipments from the United States via a common carrier and books or otherwise arranges space for those shipments on behalf of shippers; and

"(ii) processes the documentation or performs related activities incident to those shipments; and

"(B) 'non-vessel-operating common carrier' means a common carrier that does not operate the vessels by which the ocean transportation is provided, and is a shipper in its relationship with an ocean common carrier.";

(11) striking paragraph (19), as redesignated and inserting the following: